UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,583	10/26/2001	Brett A. Green	10013478-1	8143

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EXAMINER
HONEYCUTT, KRISTINA B

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 12/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/005,583	GREEN, BRETT A.
	Examiner	**Art Unit**	
	Kristina B. Honeycutt	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 October 2005</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-24</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-24</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the Amendment filed on October 3, 2005.

This action is made Final.

2.   In the amendment, Claims 1-24 remain pending. Claims 1, 9, 13 and 17 are

independent claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

3.   Claims 1-3, 6, 9, 11, 13, 15, 21-23 remain rejected under 35 U.S.C. 102(e) as

being anticipated by Kuwata et al. (U.S. Pub. No. 20030072031; publication date April

17, 2003; filed March 25, 2002; provisional application filed March 23, 2001).

Regarding independent claim 1, Kuwata discloses a method for scanning a

document, comprising:

- receiving a scan request from a user browser (p.2, para. 41, 42; p.3, para. 47 –

    as demonstrated in the cited text, a scan request is received from a browser);

- uploading content to the user browser (p.3, para. 47, 53 – as demonstrated in the

    cited text, content is uploaded to the browser);

- receiving selections made with the user browser (p.3, para. 47 – as

    demonstrated in the cited text, selections made with the browser are received);

    and

- scanning the document in accordance with the user selections (p.3, para. 47 – as

    demonstrated in the cited text, the document is scanned in accordance with the

    selections).

Regarding dependent claim 2, Kuwata discloses the method of claim 1, wherein:

- uploading content to the user browser comprises uploading logic configured to

    generate at least one control screen for display within the browser (p.3, para. 47,

    53 – as demonstrated in the cited text, logic is uploaded that is configured to

    generate a control screen for display).

Regarding dependent claim 3, Kuwata discloses the method of claim 1, wherein:

- uploading content to the user browser comprises uploading at least one

    application that is configured to perform a designated task on a computing device

    on which the browser runs (p.3, para. 53 – as demonstrated in the cited text, an

    application configured to perform a task is uploaded).

Regarding dependent claim 6, Kuwata discloses the method of claim 1, further

comprising:

- uploading scanned data to the user browser for viewing (p.1, para. 8; p.3, para.

  47 – as demonstrated in the cited text, scanned data is uploaded for viewing).

Regarding claims 9 and 11, the claims reflect the system for performing the operations

of claims 1 and 3 respectively and are rejected along the same rationale.

Regarding claims 13 and 15, the claims reflect the system for performing the

operations of claims 1 and 3 respectively and are rejected along the same rationale.

Regarding dependent claim 21, Kuwata discloses the method of claim 1, wherein:

- the receiving, uploading and scanning are all performed by a scanning device

  (p.1, para. 8; p.3, para. 47 – as demonstrated in the cited text, the scanning

  device performs all functions).

Regarding dependent claims 22 and 23, the claims reflect the systems for performing

the operations of claim 21 and are rejected along the same rationale.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 4, 5, 7, 8, 12 and 16 remain rejected under 35 U.S.C. 103(a) as being

unpatentable over Kuwata in view of Dance et al. (U.S. Pub. No. 20020076111;

publication date June 20, 2002; filed December 18, 2000).

Regarding dependent claim 4, Kuwata does not teach at least one application is

configured to perform optical character recognition on the scanned document. Dance

discloses performing optical character recognition on a scanned document (p.2, para.

32). It would have been obvious to one of ordinary skill in the art, having the teachings

of Kuwata and Dance before him at the time the invention was made, to modify the

method taught by Kuwata to include performing optical character recognition on a

scanned document as taught by Dance, because performing optical character

recognition, as taught by Dance (p,2 para. 32) would allow the user to recognize

individual characters in a scanned document so that a user could make modifications to

the scanned text.

Regarding dependent claim 5, Kuwata does not teach at least one application is

configured to locate an optical character recognition module of a computing device on

which the browser runs. Dance discloses locating an optical character recognition

module of a computing device on which the browser runs since Dance teaches an

optical character recognition and the optical character recognition module must be

located since optical character recognition occurs (p.2, para. 32). It would have been

obvious to one of ordinary skill in the art, having the teachings of Kuwata and Dance

before him at the time the invention was made, to modify the method taught by Kuwata

to include locating an optical character recognition module as taught by Dance, because

locating an optical character recognition module, as taught by Dance (p.2, para. 32),

would allow a user to utilize the module in performing optical character recognition to

recognize individual characters in a scanned document.

Regarding dependent claims 7, 12 and 16, the claims reflect the method and system

for performing the operations of claim 4 and are rejected along the same rationale.

Regarding dependent claim 8, Kuwata does not teach uploading an optically

character recognized document to the user browser for viewing. Dance discloses

viewing an optically character recognized document in the user browser (p.2, para. 31,

34). It would have been obvious to one of ordinary skill in the art, having the teachings

of Kuwata and Dance before him at the time the invention was made, to modify the

method taught by Kuwata to include viewing an optically character recognized

document as taught by Dance, because uploading an optically character recognized

document in the user browser, as taught by Dance (p.2, para. 31, 34), would allow a

user to view the document once OCR has been performed.

5.   Claims 10 and 14 remain rejected under 35 U.S.C. 103(a) as being unpatentable

over Kuwata in view of Somashekar et al. (U.S. Pub. No. 20020116477; publication

date August 22, 2002; filed December 7, 2000).

Regarding dependent claim 10, Kuwata does not teach the means for uploading

content to the user browser comprises an embedded server. Somashekar discloses an

embedded server uploading content (p.1, para. 10). It would have been obvious to one

of ordinary skill in the art, having the teachings of Kuwata and Somashekar before him

at the time the invention was made, to modify the system taught by Kuwata to include

an embedded server uploading content as taught by Somashekar, because utilizing an

embedded server allows for services to be maintained and administered at a central

location which simplifies the management of devices, as taught by Somashekar (p.1,

para. 8).

Regarding dependent claim 14, the claim reflects the system for performing the

operations of claim 10 and is rejected along the same rationale.

6.   Claims 17-20 and 24 remain rejected under 35 U.S.C. 103(a) as being

unpatentable over Kuwata in view of Dance in further view of Somashekar.

Regarding independent claim 17, Kuwata discloses a processing device (Fig. 1; p.1,

para. 5).

Kuwata further discloses scanning hardware (p.1, para. 8).

Kuwata further discloses the scan control module including logic for generating at

least one control screen that can be uploaded to a user browser (p.3, para. 47, 53).

Kuwata further discloses the scan control module comprising a scanning module

(p.2, para. 42; p.3, para. 47) but does not disclose an optical character recognition

module. Dance discloses an optical character recognition module (p.2, para. 32). It

would have been obvious to one of ordinary skill in the art, having the teachings of

Kuwata and Dance before him at the time the invention was made, to modify the

scanning device taught by Kuwata to include an optical character recognition module as

taught by Dance, because including an optical character recognition module, as taught

by Dance (p.2, para. 32), would allow the user to recognize individual characters in a

scanned document to be used for modifications.

Kuwata further discloses a scan control module (p.2, para. 41) but does not

disclose memory or an embedded server. Dance discloses a memory for storage (p.3,

para. 52) and Somashekar discloses an embedded server (p.1, para. 8,10). It would

have been obvious to one of ordinary skill in the art, having the teachings of Kuwata,

Dance and Somashekar before him at the time the invention was made, to modify the

scanning device taught by Kuwata to include memory as taught by Dance and an

embedded server as taught by Somashekar, because utilizing an embedded server

allows for services to be maintained and administered at a central location which

simplifies the management of devices, as taught by Somashekar (p.1, para. 8).

Regarding dependent claims 18, 19 and 20, the claims reflect the device for

performing the operations of claims 3, 4 and 5 respectively and are rejected along the

same rationale.

Regarding dependent claim 24, Kuwata discloses the scanning device comprises a

scanner or a multifunction peripheral (MFP) device (p.1, para. 8).

Response to Arguments

7.   Applicant's arguments filed October 3, 2005 have been fully considered but they

are not persuasive. Regarding independent claim 1, Applicants indicate that Kuwata

does not teach a method for scanning a document comprising "receiving a scan request

from a user browser" and "receiving selections made with the user browser" (p.9, lines

11-13, 15-18). The Examiner disagrees because Kuwata teaches utilizing a browser for

scanning requests and selections (P.1, para. 8; p.3, para. 47) since Kuwata teaches a

browser for viewing, editing, copying, managing, moving, renaming and deleting

scanned documents.

Claims 2-8 and 21 depend from independent claim 1. Therefore claims 2-8 and 21 are rejected at least based on the rationale of the rejection above.

Regarding independent claims 9 and 13, the claims reflect the systems for performing the operations of claim 1 and are rejected at least based on the rational of the rejection above.

Claims 10-12, 14-16, 22 and 23 depend from independent claims 9 and 13. Therefore claims 10-12, 14-16, 22 and 23 are rejected at least based on the rationale of the rejection above.

Regarding independent claim 17, Applicants indicate that Kuwata and Dance do not teach explicit limitations of Applicant's claims (p.13, lines 7-8). The Examiner disagrees because Kuwata teaches scanning hardware (p.1, para. 8; p.2, para. 42; p.3, para. 47, 53) and Dance teaches an OCR module (p.2, para. 32).

Claims 18-20 and 24 depend from independent claim 17. Therefore claims 18-20 and 24 are rejected at least based on the rationale of the rejection above.

Conclusion

8.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kristina B. Honeycutt whose telephone number is 571-

272-4123. The examiner can normally be reached on 8-5:00 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.
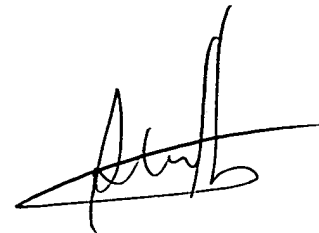
Information regarding the status of an application may be obtained from the

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Business Center (EBC) at 866-217-9197 (toll-free).

KBH

STEPHEN HONG
SUPERVISORY PATENT EXAMINER